

REMARKS

Claims 1-37, 49, 64, 65, 68-71, 74, 75 and 77-79 are currently pending in the present application. In the outstanding Official Action, the Examiner has required an election of "one specific steroid responsive dermatological to be treated".

ELECTION

Applicant hereby elects **atopic dermatitis**, with traverse. Claims 1-37, 49, 64, 65, 68-71, 74, 75 and 77-79 are currently readable on the elected species.

TRAVERSAL

Applicant respectfully traverses the Examiner's species election requirement. As a basis for this traversal, Applicant submits that the species have "special technical features" in common, namely that the conditions may be treated with the composition of claim 1. As set forth in the MPEP at 1850(II), "[t]here should be a broad, practical consideration of the degree of interdependence of the alternatives presented, in relation to the state of the art as revealed by the international search...the benefit of any doubt being given to the applicant." In the Present Application, all of the claims of are directed to a "single general inventive concept" (MPEP 1850).

As a further basis for this traversal, Applicant has paid a filing fee for an examination of all the claims in this application. If the Examiner refuses to examine the claims paid for when filing this application and persists in requiring Applicant to file divisional applications for each of the groups of claims, the Examiner would essentially

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be forcing Applicant to pay duplicative fees for the non-elected or withdrawn claims, inasmuch as the original filing fees for the claims (which would be later prosecuted in divisional applications) are not refundable.

Applicant respectfully requests the Examiner to reconsider and withdraw the election of species requirement, and to examine all of the claims pending in this application.

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CONCLUSION

The Examiner is invited to contact the undersigned attorney if it is believed such contact will expedite the prosecution of the application.

If the Examiner has any questions or comments regarding this matter, he is welcomed to contact the undersigned attorney at the below-listed number and address.

Respectfully submitted,
THE NATH LAW GROUP



Joshua B. Goldberg
Reg. No. 44,126
Tanya E. Harkins
Reg. No. 52,993
Customer No. 20529

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THE NATH LAW GROUP
112 S. West Street
Alexandria, Virginia 22314
Tel: (703) 548-6284
Fax: (703) 683-8396